

Action

MEMORANDUM

April 13, 2012

TO: County Council

FROM: Amanda Mihill, Legislative Attorney *A. Mihill*

SUBJECT: **Action:** Bill 10-12, Community Action Board – Membership

Bill 10-12, Community Action Board - Membership, sponsored by the Council President at the request of the County Executive was introduced on March 6, 2012. A public hearing was held on March 27 (see testimony on ©9).

Under current law, the Board must have between 27 and 39 members. Bill 10-12 would reduce the size of the Board to between 15 and 24 members. The Board would retain its current structure of 1/3 each low income, private organization and public official members. The Executive has requested this legislation because of the difficulty in filling low-income and private organization vacancies. Additionally, the Executive states that a smaller Board could allow the Board to spend more time on its core mission (see ©4).

Council staff recommendation: enact Bill 10-12.

This packet contains:

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Bill No. 10-12
Concerning: Community Action Board –
Membership
Introduced: March 6, 2012
Expires: September 6, 2013
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the Request of the County Executive

AN ACT to:

- (1) alter the size of the Community Action Board; and
- (2) generally amend County law regarding the Community Action Board

By amending

Montgomery County Code
Chapter 27, Human Rights and Civil Liberties
Section 27-41

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

Sec. 1. Section 27-41 is amended as follows:

27-41. Creation and organization.

* * *

(c) *Board—Composition; membership.*

(1) The Community Action Board consists of not more than [39]
24 nor less than [27] 15 members.

* * *

Approved:

 Roger Berliner, President, County Council

 Date

Approved:

 Isiah Leggett, County Executive

 Date

This is a correct copy of Council action.

 Linda M. Lauer, Clerk of the Council

 Date

LEGISLATIVE REQUEST REPORT

Bill 10-12

Community Action Board – Membership

DESCRIPTION: Reduce the size of the Board but retain its current structure of 1/3 each low income, private organization and public official members.

PROBLEM: It has become increasingly difficult to fill low income and private organization vacancies. Participation by low-income representatives is required to avoid jeopardizing Montgomery County's Head Start and Community Service Block Grant (CSBG) funding.

GOALS AND OBJECTIVES: To comply with the CSBG mandate to assure participation of its low-income representatives and to create a more efficient, balanced Board that can meet its voting quorum and focus on its mission rather than on continual recruitment to fill vacancies.

COORDINATION: Office of the County Executive

FISCAL IMPACT: To be requested.

ECONOMIC IMPACT: To be requested.

EVALUATION: To be requested.

EXPERIENCE ELSEWHERE: To be researched.

SOURCE OF INFORMATION: Beth Gochrach, Offices of the County Executive.

APPLICATION WITHIN MUNICIPALITIES: To be researched.

PENALTIES: Not applicable.



OFFICES OF THE COUNTY EXECUTIVE

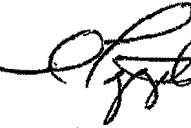
Isiah Leggett
County Executive

Timothy L. Firestine
Chief Administrative Officer

MEMORANDUM

January 26, 2012

TO: Roger Berliner, President
Montgomery County Council

FROM: Isiah Leggett, County Executive 

SUBJECT: Bill to Reduce Size of Community Action Board

I am submitting, for the Council's consideration, a bill that would reduce the number of members who serve on the Community Action Board. Under current law, the Board must contain between 27 and 39 members with one-third representation each from low-income, private organization, and public official members. The proposed bill would retain the one-third structure, but lower the range of membership to between 15 and 24 members.

This change is necessary because it has become increasingly difficult to fill vacancies in the Board's low-income and private organization membership. Low levels of participation by these constituencies jeopardizes Montgomery County's Head Start and Community Services Block Grant funding and the Board's ability to act swiftly on behalf of these programs.

A smaller Board will also allow the Board to spend more time on its core mission and less time recruiting to fill the many vacancies. The current size of the Board often makes it difficult for the Board to meet quorum requirements which also impedes its ability to do business.

Many other community action agencies function effectively with boards of the size proposed in this legislation. For example, our neighbors in Frederick County have a 15-member Board, while Fairfax County has a 30-member Board.

Thank you for your consideration of this legislation.

Attachments

c: Uma S. Ahluwalia, Director, Department of Health and Human Services
Connie Latham, Special Assistant to the County Executive
Beth Gochrach, Office of the County Executive

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ROCKVILLE, MARYLAND

MEMORANDUM

March 20, 2012

TO: Roger Berliner, President, County Council

FROM: Jennifer A. Hughes, Director, Office of Management and Budget
Joseph F. Beach, Director, Department of Finance

SUBJECT: Bill 10-12 - Community Action Board - Membership

Attached please find the fiscal and economic impact statements for the above-referenced legislation.

JAH:ps

c: Kathleen Boucher, Assistant Chief Administrative Officer
Lisa Austin, Offices of the County Executive
Joy Nurmi, Special Assistant to the County Executive
Patrick Lacefield, Director, Public Information Office
Alex Espinosa, Office of Management and Budget
Beryl Feinberg, Office of Management and Budget
Pofen Salem, Office of Management and Budget
Naeem Mia, Office of Management and Budget

Fiscal Impact Statement
Council Bill 10-12 - Community Action Board - Membership

1. Legislative Summary.

This legislation proposes to reduce the size of the Community Action Board by lowering the range of membership to between 15 and 24 members from between 27 and 39 members. The board composition will retain its current structure of one-third (1/3) of each category of: low income, private organization, and public official members.

2. An estimate of changes in County revenues and expenditures regardless of whether the revenues or expenditures are assumed in the recommended or approved budget. Includes source of information, assumptions, and methodologies used.

The Community Action Board does not generate any revenue. No change in expenditures is anticipated as a result of this legislation.

3. Revenue and expenditure estimates covering at least the next 6 fiscal years.

The general fund expenditure allocation for the Community Action Board has been \$2,150 for each of the last ten years. It is expected that expenditures will not change for the next six fiscal years. There are no revenues associated with the Community Action Board.

4. An actuarial analysis through the entire amortization period for each bill that would affect retiree pension or group insurance costs.

Not applicable. There are no personnel costs associated with this bill.

5. Later actions that may affect future revenue and expenditures if the bill authorizes future spending.

Not applicable. This bill does not authorize future spending.

6. An estimate of the staff time needed to implement the bill.

Not applicable.

7. An explanation of how the addition of new staff responsibilities would affect other duties.

Not applicable. This bill will not increase staff responsibilities.

8. An estimate of costs when an additional appropriation is needed.

Not applicable.

9. A description of any variable that could affect revenue and cost estimates.

Not applicable.

10. Ranges of revenue or expenditures that are uncertain or difficult to project.

Not applicable.

11. If a bill is likely to have no fiscal impact, why that is the case.

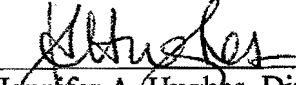
Since the board does not generate any revenue and expenditures are not anticipated to change (regardless of membership count), this legislation is unlikely to produce any fiscal impact.

12. Other fiscal impacts or comments.

None.

13. The following contributed to and concurred with this analysis:

Patricia Stromberg, Department of Health and Human Service
Sharon Strauss, Department of Health and Human Service
Patricia Brennan, Department of Health and Human Service
Pofen Salem, Office of Management and Budget
Beryl Feinberg, Office of Management and Budget
Naeem Mia, Office of Management and Budget



Jennifer A. Hughes, Director
Office of Management and Budget

3/19/12

Date

Economic Impact Statement
Council Bill 10-12, Community Action Board – Membership

Background:

Under current law, the Community Action Board (Board) must have between twenty-seven (27) and thirty-nine (39) members. This legislation would reduce that size to between fifteen (15) and twenty-four (24) members. The legislation does not affect the current structure of the Board: one-third (1/3) from low income, private organizations, and public officials. The legislation addresses the difficulty in filling low-income members and membership from private organizations. The legislation attempts to comply with the Community Services Block Grant (CSBG) mandate to assure participation by low-income members.

1. The sources of information, assumptions, and methodologies used.

Not applicable

2. A description of any variable that could affect the economic impact estimates.

Not applicable


3. The Bill's positive or negative effect, if any on employment, spending, saving, investment, incomes, and property values in the County.

This legislation would have no economic impact.

4. If a Bill is likely to have no economic impact, why is that the case?

This legislation would have no economic impact, as it is administrative in nature. It reduces the size of the current Board to between 15 and 27 members to assure participation by low-income members and members from private organizations.

5. The following contributed to and concurred with this analysis: David Platt and Mike Coveyou, Finance



Joseph F. Beach, Director
Department of Finance

3/16/12
Date



DEPARTMENT OF HEALTH AND HUMAN SERVICES

Isiah Leggett
County Executive

Uma S. Ahluwalia
Director

Betty Lam,
Chief of the Office of Community Affairs
Department of Health and Human Services

Testimony in support of Bill 10-12
March 22, 2012

Good afternoon, Council President Berliner and Councilmembers. I am Betty Lam, chief of the Department of Health and Human Services' Office of Community Affairs, which includes the Community Action Agency. I am here today on behalf of the County Executive to urge the County Council to approve Bill 10-12 to reduce the size of the Community Action Board, which would retain its federally required tripartite structure and assure equal representation among the Board's public, private and low-income representative members. The amendment proposes to:

- Reduce the size of the board, but retain its tripartite structure of 1/3 each low income, private organization and public official members.
- Reduce the number of unfilled low income and private organization vacancies on the board, which has become increasingly difficult to fill due to changing demographics in the County, and is essential to meet the federal CSBG requirement for Community Action Board, which has an added requirement that its low-income representatives be democratically elected.
- Result in a more efficient, balanced board that can meet its voting quorum and focus on its mission rather than on continual recruitment to fill vacancies.

The County Executive's request supports the Board's effort to comply with its CSBG mandate to assure participation of its low-income representatives, meeting federal CSBG Grant Review and Assessment (GRA) requirements conducted by the Maryland's Department of Housing and Community Development, and meeting the federal monitoring review requirements for the County's Head Start grant, conducted by federally authorized review teams. The County Executive believes this legislative change will help assure that all Community Action Board positions remain full, preserving Montgomery County's Head Start and CSBG funding, while advancing the Board's capacity to meet its governance responsibilities on behalf of these programs, administered by the Department of Health & Human Services.

Thank you for the opportunity to speak today.

Office of Community Affairs

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Walter Woods
Vice-Chair, Community Action Board
Testimony before the County Council
March 27, 2012

Good afternoon, President Berliner, and members of the County Council.

On behalf of the Montgomery County Community Action Board (or "CAB"), it is my pleasure to request your support to amend Montgomery County Code Sec. 27-41 to reduce the size of the Montgomery County Community Action Board, while retaining its federally required tri-partite structure to assure equal representation among the Board's public, private and low-income representative members.

The Board initiated support for this amendment last year, following federal reviews which expressed concern about its current size.

As you know, Montgomery County Community Action Board was originally established June 18, 1968 as the Community Action Committee, following the passage of the historic Economic Opportunity Act of 1964, declaring "unconditional war on poverty."

Through its enabling legislation, the Community Action Board has responsibility to oversee Community Action Agency programs to *"encourage the use of public and private resources to enable low-income people to become self-sufficient; to reduce poverty in the County; to involve the low-income population in developing and carrying out anti-poverty programs in the County; and to make government more responsive to the needs of low-income people."*

Maintaining membership of its tripartite board structure is necessary for the Community Action Board to meet its federally mandated governance responsibilities for Community Action's CSBG funded and Head Start programs, with parent representatives serving on the Head Start Policy Council and the Community Action Board.

The Board's responsibilities include oversight of \$5.1 million dollars of Head Start and CSBG funding (\$4,576,115 federal Head Start grant; \$106,959 Maryland Head Start grant; \$459,782 CSBG grant).

In recent years, the Community Action Board has been challenged to "fill" all of its positions, especially among its low-income representative sector.